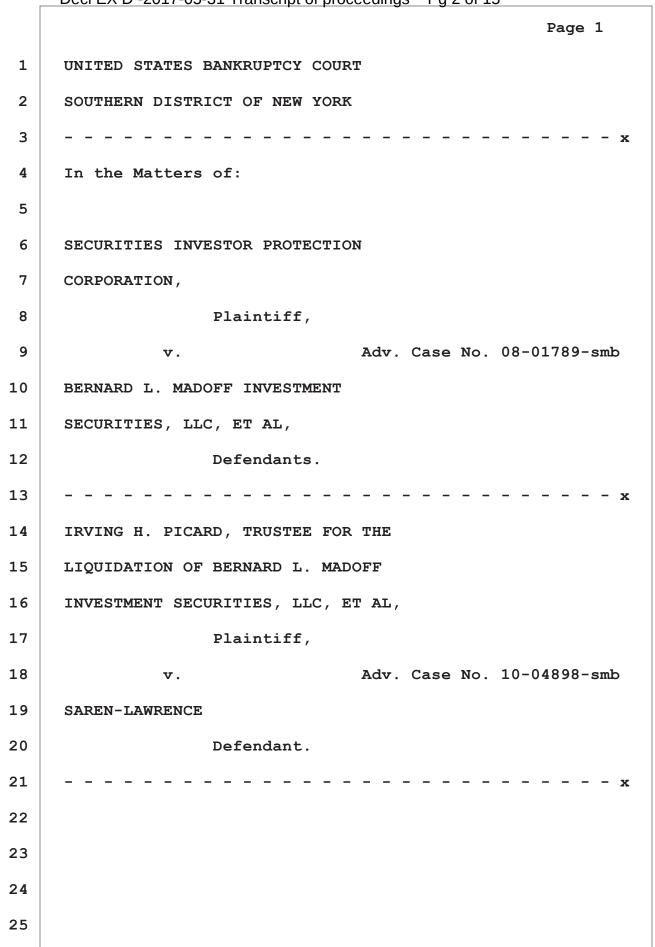
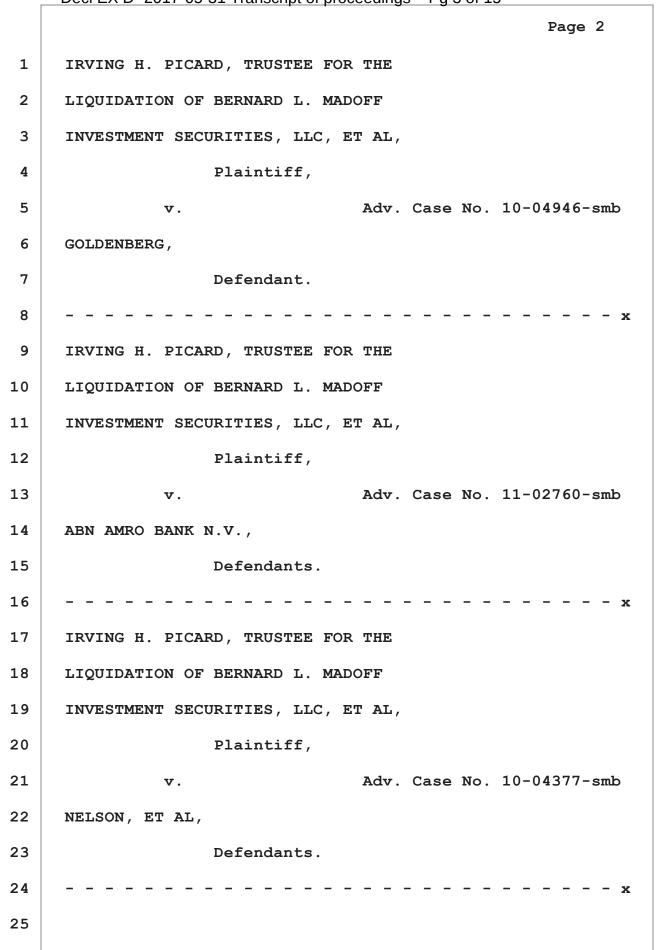
## **EXHIBIT D**





Page 3 IRVING H. PICARD, TRUSTEE FOR THE 1 2 LIQUIDATION OF BERNARD L. MADOFF 3 INVESTMENT SECURITIES, LLC, ET AL, 4 Plaintiff, 5 Adv. Case No. 10-04658-smb v. 6 NELSON, 7 Defendant. 8 9 IRVING H. PICARD, TRUSTEE FOR THE 10 LIQUIDATION OF BERNARD L. MADOFF 11 INVESTMENT SECURITIES, LLC, ET AL, 12 Plaintiff, 13 Adv. Case No. 10-04728-smb v. 14 DIGIULIAN, 15 Defendant. 16 17 18 U.S. Bankruptcy Court 19 One Bowling Green 20 New York, NY 21 22 May 31, 2017 23 10:40 AM 24 25

	Page 5
1	Hearing re: Discovery Conference re Subpoenas to Depose
2	BLMIS Employees
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4	Hearing re: Discovery Conference to Request to Set Single
5	Rebuttal Expert Report Deadline
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7	Hearing re: Discovery Conference re Application of
8	Discovery Arbitrator's Orders
9	
10	Hearing re: Adversary proceeding: 10-04898-smb Irving H.
11	Picard, Trustee for the Liquidation of B v. Saren-Lawrence.
12	Pre-Trial Conference
13	
14	Hearing re: Adversary proceeding: 10-04946-smb Irving R.
15	Picard, Trustee for the Liquidation of B v. Goldenberg.
16	Pre-Trial Conference
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18	Hearing re: Adversary proceeding: 11-02760-smb Irving H.
19	Picard, Trustee for the Liquidation of B v. ABN AMRO BANK
20	N.V. Conference re Status of Memorandum Decision Denying
21	Certification
22	
23	Hearing re: Adversary proceeding: 10-04377-smb Irving H.
24	Picard, Trustee for the Liquidation of B v. Nelson, et al.
25	Pre-Trial Conference

Page 6 Hearing re: Adversary proceeding: 10-04658-smb Irving H. Picard, Trustee for the Liquidation of B v. Nelson, et al. Pre-Trial Conference Hearing re: Adversary proceeding: 10-04728-smb Irving H. Picard, Trustee for the Liquidation of B v. Digiulian. Cross-Motion to Dismiss Hearing re: Adversary proceeding: 10-04728-smb Motion for Substitution of Defendant Transcribed by: Tracey Williams, Nicole Yawn

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Page 12 1 THE COURT: -- I'm familiar with the background. 2 MS. CHAITMAN: Okay. So when I was before you on 3 May 17th, 2016 on my motion to compel the trustee to produce documents to us and other issues, Your Honor said to the 4 trustee and I quote -- well, you said in court, "If the 5 6 trustee has additional documents, he's got to supplement the 7 disclosure or the production, which he does by adding them 8 to the data room." The trustee completely ignored what you 9 said. THE COURT: What does this have to do with your 10 11 request for a single date for an expert deadline? 12 MS. CHAITMAN: Because the -- every -- the 13 discovery is ongoing, until we get to the truth, which the 14 trustee has deliberately concealed, we are unable to get --15 THE COURT: Well, let's stop with the 16 recriminations and all that. You want a single discovery 17 deadline or a single deadline for expert reports, right? 18 MS. CHAITMAN: Right, because those expert reports 19 are going to be based upon the discovery that we're now 20 getting. The trustee -- Magistrate Judge Moss ordered the 21 trustee --22 THE COURT: What is the deadline that you are 23 proposing? MS. CHAITMAN: There are different deadlines --24 25 THE COURT: But you're asking for single one.

Page 17 1 THE COURT: Well --2 MR. JACOBS: -- in any event. I would like --THE COURT: -- I'll decide that after trial. 3 MR. JACOBS: Understood. I would like to correct 5 the record. There was never a motion to compel the trustee to produce any documents pending in this Court, that's a 7 fiction. THE COURT: But I thought I directed you to 8 9 produce the documents. 10 MR. JACOBS: We said that when the Court allowed 11 the deposition of Mr. Madoff for the specific, narrow 12 purpose of examining as a preliminary matter, as a precursor 13 to an omnibus fraud trial, the start date of the fraud and 14 the Court opened the door to that evidence, we undertook a 15 voluntary effort to search for and identify any material 16 that we may have in BLMIS' possession that would evidence 17 trading --THE COURT: Did Ms. Chaitman --18 19 MR. JACOBS: -- from that period. THE COURT: -- did Ms. Chaitman ever ask for 20 21 trading records in any of her discovery requests? 22 MR. JACOBS: She did. She's been asking for 23 trading records for a very long time, for a couple of years 24 now, starting with the subpoena she served on the Depository 25 Trust Clearing Company. That subpoena was limited in time

Page 21 1 THE COURT: So are you proposing that at the 2 conclusion of the Madoff deposition --MR. JACOBS: Yes. 3 THE COURT: -- we schedule omnibus submissions. 5 You've already submitted your expert report, I don't know if you want to submit another one. 7 MR. JACOBS: Well, we anticipate we will have a 8 supplemental report to address the specific testimony from 9 Mr. Madoff as to the earlier period of the fraud. 10 THE COURT: So the proposal is that at the 11 conclusion of the Madoff deposition on this one issue 12 regarding an expert deadline, we'll reset it at the 13 conclusion of the Madoff deposition. 14 MS. CHAITMAN: Two points, Your Honor. Mr. Jacobs 15 is excluding all of my clients who participated in my motion 16 to compel, which Your Honor ruled on on May 17th, 2016 --17 MR. JACOBS: There was never any such motion, Your 18 I apologize for interrupting. THE COURT: We are going to -- this is the way 19 20 this particular issue will be resolved -- we'll conclude the 21 Madoff Department and then we'll reschedule the expert 22 submissions and have a uniform submission date. MS. CHAITMAN: For all of my clients? 23 24 THE COURT: For everybody. 25 MR. JACOBS: Well, Your Honor --

Page 26 1 MR. JACOBS: -- deposition as well. 2 THE COURT: All right. With respect to this 3 issue, what we'll do is -- and you can embody this in an 4 order, so we don't forget --5 MR. JACOBS: Okay. 6 THE COURT: -- we'll reset the expert deadline after the Madoff deposition is completed as to those cases 7 8 where expert discovery was not closed as of July 7th, 2016. 9 Okay? 10 MR. JACOBS: Okay. 11 THE COURT: And embody that in the order. 12 MR. JACOBS: Thank you, Your Honor. 13 THE COURT: Next, this issue with the BLMIS employees. 14 15 MS. CHAITMAN: Your Honor --16 MR. JACOBS: That's my application, Your Honor, if 17 I may begin? It was our letter seeking permission to move 18 to quash the subpoenas. 19 THE COURT: And what's the basis of the motion to 20 quash? 21 MR. JACOBS: The basis of the motion to quash is 22 First, to the extent Ms. Chaitman is seeking twofold. 23 follow-up discovery to the Madoff inquiry regarding the 24 start date of the fraud, additional discovery can only be 25 served with leave of Court per Your Honor's order that

Page 79 1 CERTIFICATION 2 3 We, Tracey Williams and Nicole Yawn, certify that the 4 foregoing transcript is a true and accurate record of the 5 proceedings. 6 7 8 Tracey Williams 9 AAERT Certified Electronic Transcriber CET-914 10 11 12 13 14 Nicole R. Yawn 15 16 17 Date: June 2, 2017 18 19 20 21 22 Veritext Legal Solutions 23 330 Old Country Road 24 Suite 300 25 Mineola, NY 11501